

Decision 02-04-032 April 22, 2002

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the matter of the application of Jaswinder Singh and Hardip Kaur (husband and wife) to acquire American Executive Pickup, Inc., and to extend a certificate of public convenience and necessity to operate as a passenger stage operations between points in Alameda County, San Mateo County, Santa Clara County, on the one hand, and Oakland International Airport, San Jose International Airport, and San Francisco International Airport on the other hand.

Application 01-09-020  
(Filed September 17, 2001)

**O P I N I O N**

**Summary**

This decision grants the application to transfer, pursuant to Pub. Util. Code § 851 *et seq.*, a passenger stage corporation (PSC) certificate from American Executive Airport Pickup, Inc. (Transferor), a corporation, to Jaswinder Singh and Hardip Kaur (Transferee), husband and wife.

**Discussion**

Transferor holds a certificate of public convenience and necessity (CPCN) to operate as a PSC, as defined in Pub. Util. Code § 226. The CPCN was granted by Decision (D.) 00-11-007. It authorizes the transportation of persons and their baggage on an on-call basis between points in the Counties of Santa Clara, Alameda, and San Mateo, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand.

Transferor agreed to sell its business including the CPCN to Transferee for \$1,000. The Balance Sheet of Transferee indicates total assets and net worth of \$125,000.

Notice of filing of the application appeared in the Commission's Daily Calendar on September 20, 2001. Applicant notified the affected cities, airports and transit agencies.

In Resolution ALJ 176-3071 dated September 20, 2001, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3071.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Findings of Fact**

1. The application requests authority for the Transferor to transfer its CPCN to operate as a PSC to Transferee.
2. Transferor is operating as a PSC pursuant to D.00-11-007.
3. Transferor has agreed to transfer control of the CPCN granted in D.00-11-007.
4. The proposed transfer will not be adverse to the public interest.
5. A public hearing is not necessary.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

### **Conclusions of Law**

1. The application should be granted.
2. The proposed transfer is in the public interest and should be authorized.

3. Since the matter is uncontested, the decision should be effective on the date it is signed.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

## **O R D E R**

### **IT IS ORDERED** that:

1. Within 120 days from the effective date of this decision, American Executive Airport Pickup, Inc. (Transferor), a corporation, may transfer the operative rights specified in this application to Jaswinder Singh and Hardip Kaur (Transferee), husband and wife, subject to the conditions contained in the following paragraphs.

2. Upon completion of transfer, Transferee is granted a certificate of public convenience and necessity (CPCN), authorizing them to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226, to transport persons and their baggage, between the points and over the routes set forth in Appendix PSC-14299.

3. Transfer shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. Adopt Transferor's tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective and allow at least 10 days' notice to the Commission.
- d. Comply with General Orders Series 101, 104, and 158, and the California Highway Patrol (CHP) safety rules.

- e. Comply with the controlled substance and alcohol testing certification program pursuant to Pub. Util. Code § 1032.1 and General Order Series 158.
  - f. Maintain accounting records in conformity with the Uniform System of Accounts.
  - g. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by mail to do so.
  - h. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
  - i. Enroll all drivers in the pull notice system as required by Section 1808.1 of the Vehicle Code.
4. Transferee is authorized to begin operations on the date that the Rail Safety and Carriers Division mails a notice to Transferee that their evidence of insurance and other documents required by Ordering Paragraph 3 have been filed with the Commission and that the CHP has approved the use of Transferee's vehicles for service.
5. The CPCN granted to Transferor by Decision 00-11-007 is revoked on the date Transferee is notified that they may commence operations as provided in Ordering Paragraph 4.
6. Before beginning service to any airport, Transferee shall notify the airport's governing body. Transferee shall not operate into or on airport property without authority from the airport's governing body.
7. The CPCN to operate as PSC-14299 granted herein, expires, unless exercised within 120 days after the effective date of this order.
8. The Application is granted as set forth above.
9. This proceeding is closed.

10. This proceeding is closed.

This order is effective today.

Dated April 22, 2002, at San Francisco, California.

LORETTA M. LYNCH  
President

HENRY M. DUQUE

CARL W. WOOD

GEOFFREY F. BROWN

MICHAEL R. PEEVEY

Commissioners

Appendix PSC-14299 Jaswinder Singh and Hardip Kaur Original Title Page  
(husband and wife)

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-14299

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges

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All changes and amendments as authorized by  
the Public Utilities Commission of the State of California  
will be made as revised pages or added original pages.

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Supersedes the authority heretofore granted to  
American Executive Airport Pickup, Inc., a corporation, by D.00-11-007.

Issued under authority of Decision 02-04-032,  
dated April 22, 2002, of the Public Utilities Commission  
of the State of California in Application 01-09-020.

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SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS,  
LIMITATIONS, AND SPECIFICATIONS.

This certificate supersedes all passenger stage operative authorities granted to American Executive Airport Pickup, Inc., a corporation.

Jaswinder Singh and Hardip Kaur, husband and wife, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers and their baggage on an "on-call" basis, between points and places as described in Section IIA, and the airports described in Section IIB, over and along the route described in Section III, subject however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. When a route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- b. The term "on-call," as used, refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.
- c. No passengers shall be transported except those having a point of origin or destination as described in Section IIB.
- d. This certificate does not authorize the holder to conduct any operation on the property of any airport unless such operation is authorized by the airport authority involved.



SECTION II. SERVICE AREA.

- A. Within the geographical limits of the Counties of Santa Clara, Alameda, and San Mateo.
- B. San Francisco International Airport.  
Oakland International Airport.  
San Jose International Airport.

SECTION III. ROUTE DESCRIPTION.

Commencing from any point as described in Section IIA, then over the most convenient streets, expressways, and highways to any airport described in Section IIB.